

EXHIBIT 17

Daniel Webster

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

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MARYLAND SHALL ISSUE, INC., :
et al., :
: Case No:
Plaintiffs : 16-cv-3311-MJG
:
-vs- : Pages 1 - 337
:
LAWRENCE HOGAN, in his :
capacity of Governor of :
Maryland, et al., :
:
Defendants :
-----X

Deposition of Daniel Webster, Ph.D.
Washington, D.C.
Wednesday, June 13, 2018

Reported by: Kathleen M. Vaglica, RPR, RMR
Job No: 409352

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1 Let's start out by reaching an
2 understanding on what it is that you mean on
3 permit-to-purchase laws.

4 A. Sure. These laws vary across the states
5 that have them. I think most fundamentally they
6 require anyone who wants to purchase a firearm to --
7 pardon me -- to apply directly to law enforcement
8 for some form of, some call it a license, some call
9 it a permit, that demonstrates that they have met
10 each and every condition of obtaining that license.

11 That is the most fundamental thing, and I
12 guess the other thing is that having a valid permit
13 or license to purchase is required for virtually any
14 transfer of a regulated firearm. Now, there are
15 some exceptions with respect to transfers among
16 family members, for example, but what we most
17 commonly think of as transfers between, permanent
18 transfers from non-family members to, you know,
19 someone else, that to do that lawfully you have to
20 have a valid permit or license that you applied for
21 and received directly from law enforcement or public
22 safety agencies.

1 Q. What do you mean by apply directly to law
2 enforcement? What does that mean?

3 A. What that means -- and, again, it varies
4 from state to state. Sometimes that means a
5 face-to-face application at a local or state law
6 enforcement or public safety agency. Sometimes that
7 means applying not face to face, but through mail or
8 there may be one case that allows an online process.

9 Q. And what is the importance of the element
10 of applying directly to law enforcement?

11 A. Right. So, in my opinion, I think the
12 relevance is that it is a more meaningful, I guess,
13 application, perhaps, frankly, intimidating of sort
14 of underscoring what's at stake here. The important
15 thing is the overall context of firearm
16 marketplaces, and we know from research that there
17 are a relatively small percentage of licensed gun
18 dealers who through a variety of kinds of evidence
19 suggest that they are not particularly rigorous in
20 vetting and sort of making sure that sales
21 applications are done in an accurate and lawful
22 manner.

1 And in the context of straw purchase where
2 someone, usually, not always, but usually a
3 prohibited individual is asking someone, in essence,
4 to stick their neck out to purchase a gun for them,
5 that going into a less than reputable gun shop or
6 alternatively going to different private sales
7 venues, might be gun shows or other similar kind of
8 situations through online, that that appears to be
9 and probably, frankly, is a relatively risk-free
10 thing to do.

11 And I think that going directly to law
12 enforcement when a prohibited person is asking
13 someone to buy a gun for them, it likely causes
14 hesitancy to do so.

15 Q. All right. So I get the intimidating
16 factor being face to face with a law enforcement
17 officer at police headquarters, but what is the
18 intimidating effect of applying through the mail, as
19 you said, some of these PTPs allow?

20 A. Yeah. Honestly, I don't know. I haven't
21 studied that.

22 Q. And you also said that there's online

1 applications for some of these, at least one of
2 these PTPs. What's the intimidating effect to
3 applying to a law enforcement agency online?

4 A. Yeah, again, I don't know. I haven't
5 studied that specifically.

6 Q. So in Maryland, for instance, is that the
7 example you were thinking that you can apply online
8 for your PTP?

9 A. In Maryland you have to go to a certified
10 vendor, you know, that processes fingerprinting,
11 does the fingerprinting, so it's not -- you can't be
12 fingerprinted online.

13 Q. But you apply online?

14 A. Yeah.

15 Q. But you apply directly to the Maryland
16 State Police online?

17 A. Yes.

18 Q. That would qualify under your definition
19 of applying directly to a law enforcement agency for
20 the permit; correct?

21 A. Yes, but, again, I think it's distinct
22 from other states that allow that without a